

Source	Date	Exhibit	Issue/Topic	Comment
David Capp Montgomery College	6/30/2008	25	Definitions	Article 3. 25.03.02 - Words and Terms Defined : Height: 1. Add language to exempt rooftop mechanical and other equipment from being counted in building height above 75 feet. 2. Add language to exempt occupiable rooftop structures or penthouses not exceeding 10% of total roof area from being counted in building height. Frontage: Add language addressing corner properties. For public institutions, permit the property owner to decide which street shall be considered the front of the property.
Kimberley Nordheimer Fordham Development Company	6/30/2008	21	Public Use Space	Article 3. Requests that definition of "public use space" be broadened to include a greater range of alternative amenities, which could be provided by property owners which would benefit the City from a planning and design standpoint.
M. A. Van Balgooy	7/1/2008	29	Article 6 Historic District Filing	Article 6. Requests that the Historic District Commission be granted the authority to file an application for a Sectional Map Amendment
Kimberley Nordheimer Fordham Development Company	6/30/2008	21	Non-conforming Uses and Development Non-conformities	Articles 8 & 13. Supports the most recent conforming development and conforming use language contained in Section 25.08.06 and Section 25.13.05(d) of the draft zoning ordinance. It represents a fair and reasoned compromise between the right of property owners and legitimate planning concerns.
M.A. Van Balgooy	6/22/2008	1	Nonconformities	Article 8. Require all commercial properties to be brought into compliance within a reasonable period or when remodeling occurs, whichever comes first, such as the year 2020, or if remodeling is valued at \$100,000 or more occurs or affects more than 25 percent of the property. The proposed Zoning Code allows non-conforming use to continue without any limit. We should not allow parking lots to remain unlandscaped and allow dumpsters to remain scattered in parking lots indefinitely
Jacquie Kubin	6/30/2008	6	HBBE	Article 9. A non-impact business does not need to be monitored, taxed, or be fee levied by the city.
Joseph Lavorgna MCPS	6/30/2008	13	Development Standards, Residential Zones	Article 9. Fencing limitations in the residential zone at four feet are not consistent with school needs for six-foot high fencing in some areas for safety and security. The Board requests that the fencing height limitation be revised

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Joseph Lavorgna MCPS	6/30/2008	13	Development Standards, Residential Zones	Article 9. The Draft Zoning Ordinance indicates a preference for placement of telecommunication facilities in non-residential zones or on city-owned property and sets a height limitation of 50 feet in a residential zone and 199 feet in all other locations, effectively prohibiting cell towers on school sites, because they are located in residential zones and 50 feet is too low to attract interest among cell tower vendors. The Board urges the city to revise this provision and work with county officials to develop uniform criteria for telecommunication towers across the county.
Richard Gottfried HBBAT	6/30/2008	23	HBBE	Article 9. The HBBAT recommends abolishing the Draft Zoning Ordinance Article 9 on Home Based Businesses. Create a task force that really represents Rockville's Home Based Businesses. Send Article 9 back to the task force and write regulations that serve the whole community.
Stanley A. Klein	6/30/2008	24	HBBE	Article 9. 1. Eliminate the prohibition against sale of goods not produced on the premises, or reword it to limit the prohibition to in-person sale of goods. There are home-based businesses that sell goods, such as specialized computer devices, nationwide or worldwide over the Internet.
Stanley A. Klein	6/30/2008	24	HBBE	Article 9. 2. Eliminate the requirement on minor impact businesses that all work be done by occupants of the residence. This will allow employees, and I suggest a limit of two.
Stanley A. Klein	6/30/2008	24	HBBE	Article 9. 3. Allow two cars to be parked to accommodate employees of minor impact businesses.
Stanley A. Klein	6/30/2008	24	HBBE	Article 9. 4. Equipment allowed should be expanded to include any equipment needed for specialized information, small publication, or Internet-based services. Such equipment is likely to be important in a major potential growth area for home-based businesses.
Stanley A. Klein	6/30/2008	24	HBBE	Article 9. 5. The requirements for registration and inspection are onerous and invasive, and should be deleted. They should be replaced by an effort to collect solid information on home-based business activity in Rockville from which proper regulations can be developed. I suggest that Rockville Economic Development Incorporated (REDI) be asked to survey existing and former home-based businesses and to develop a forecast of future trends.
Kenneth H. Becker PR &B, Inc.	6/26/2008	28	Accessory Use	Article 9. (2) Requests that the City clarify that qualified swimming pools and related amenities will remain permitted accessory uses under the new Zoning Ordinance, as provided under the Zoning Text Amendment approved in 2004
David Capp Montgomery College	6/30/2008	25	R-200 District	Article 10. Recommends that the R-200 zone permit an increase in the height limit for public buildings to 75 feet.
Ann Marie Vassallo	6/27/2008	30	Regulations for Existing Dwellings	Article 10. Requests that Section 25.10.08 (f) Not be deleted. Grandfathering provision for existing homes in the R-60, R-75, and R-90 zones should be retained.

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Dave Kerlina Potomac Woods Citizens Association	6/30/2008	31	Mansionization	Article 10. Requests that the Mayor and Council reject the mansionization legislation in the Proposed Zoning Ordinance.
Dave Kerlina Potomac Woods Citizens Association	6/30/2008	31	Mansionization	Article 10. PWCA does not support including the R-90 zone in the special "mansionization" restriction on new housing and/or additions to existing houses.
Dave Kerlina Potomac Woods Citizens Association	6/30/2008	31	Mansionization	Article 10. Request the following changes: (1) Definition of "Building, Height of" section (b)(5) -- delete all references to the R-90 zone, (2) 25.10.08 -- Delete all references to the R-90 Zone
David Capp Montgomery College	6/30/2008	25	R-200 District	Article 10. 25.10.05.a - Table of Development Standards 1. Permit exception to height limit for public buildings. Increase to 75 feet. 2. Setbacks from streets doesn't apply to private campus roads. 3. Rear yard setback to be 13 feet where land abuts.
William Kominers Holland & Knight representing Yale Village Limited Partnership	6/30/2008	8	Non-conformity of Yale Village located at Yale Place, College Parkway, and Rutgers Street	Article 11. Support the retention and adoption of language in Section 25.11.04 (d) of Planning Commission final draft.
Holland & Knight	6/30/2008	9	Section 25.11.04.d - Existing Structures or Development	Article 11. Supports inclusion of Section
Kenneth H. Becker PR &B, Inc.	6/26/2008	28	Non conformities	Article 11. Represents Congressional Towers, Rollins Park Apartments, & Rollins Congressional Clubhouse (1) Strongly supports the provisions in the proposed Zoning Ordinance that will grandfather certain existing projects that conform to the development standards of their current zoning;
Miller, Miller, & Canby representing Victory Housing, Inc.	6/30/2008	7	Development Standards for "senior housing" in the proposed MXT zone	Article 13. Proposed provisions dealing with seniors' housing substantially complicates, if not prohibits, the logical and sensitive development of Fleet Street property as contemplated by Victory Housing and Montgomery County.

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Miller, Miller, & Canby representing Victory Housing, Inc.	6/30/2008	7	Development Standards for "senior housing" in the proposed MXT zone	Article 13. Decrease front yard setbacks for "senior housing projects" when located in the MXT zone.
Miller, Miller, & Canby representing Victory Housing, Inc.	6/30/2008	7	Development Standards for "senior housing" in the proposed MXT zone	Article 13. Increase building height without the necessity of increased setbacks
Miller, Miller, & Canby representing Victory Housing, Inc.	6/30/2008	7	Development Standards for "senior housing" in the proposed MXT zone	Article 13. Eliminate or Decrease public use space requirement
Holland & Knight	6/30/2008	9	Section 25.13.05.d -- Existing Structures or Development	Article 13. Supports inclusion of Section
Pat Harris Holland & Knight	6/30/2008	10	MXCD (Mixed-Use Corridor District Zone) Height	Article 13. The MXCD Zone is proposed for a large swath of land along the east and west sides of the Rockville Pike Corridor and the characteristics of the effected sites vary greatly. A small percentage of the sites are truly transit-oriented - less than one quarter of a mile from the Metro station. Most appropriately, these sites should be zoned MXTD. Short of applying the MXTD Zone, we would recommend that the Zoning Ordinance include a provision which would allow these transit oriented sites with the ability, pending Mayor and Council approval, to increase the maximum height to 120 feet.
Pat Harris Holland & Knight	6/30/2008	10	Public Use Space	Article 13. Outside the Rockville Pike Corridor, on many proposed MXE zoned sites, it may be more appropriate to devote a smaller area to conventional public use space and allow the balance of the area to simply remain undeveloped, open space -- whether providing additional landscaped buffer area or allowing the area to remain in its natural vegetative state.
Pat Harris Holland & Knight	6/30/2008	10	Grandfathering and Nonconforming provisions	Article 13. Consider expanding the currently proposed provision, which allows for extensions or additions not to exceed five percent of the pre-existing gross floor area. A five percent limitation handcuffs under-utilized sites that are trying to remain economically viable until market conditions can support redevelopment in accordance with the new Zoning Ordinance.

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William Kominers Holland & Knight	6/30/2008	9	MXCD (Mixed-Use Corridor District Zone)	Article 13. The standards still make first floor retail problematic and the overall envelope too constrained. Wide sidewalks, many trees, and hidden parking, all work against successful retail. The limited height of 50 feet (until there is a master plan to recommend 75 feet or more) restricts an ability to design flexible floor plates for other uses above the retail.
William Kominers Holland & Knight	6/30/2008	9	MXTD -- (Mixed-Use Transit District Zone)	Article 13. There is little incentive to change existing conditions. The height is too low for areas so close to transit. The sidewalk, public use space, layback slope, and other design standards constrict the sites in ways that can effectively reduce approved densities unless buildings can expand upward, yet the height limits prevent this. These new design standards effectively downzone the properties and render redevelopment unlikely.
Pat Harris Holland & Knight	6/30/2008	10	Design Standards	Article 13. Concerned about the extent of subjective design standards still present in the Zoning Ordinance. Terms such as "earth tones", "subtle", and "neutral" belong in design guidelines, not a Zoning Ordinance.
Peter Gartlan Donohoe Development Company	6/30/2008	15	MXCD Zone	Article 13. Represents Owners of 1500 Rockville Pike. MXCD zone allows a maximum height of 75 feet, imposes reduced street line heights and other development standards, which significantly reduces the building envelope available. Proposes that the MXCD Zone development standards be revised to allow additional heights up to 120 feet where specifically recommended by the Master Plan or other comprehensive plan, or where approved by the Mayor and Council during project plan review. If maximum height remains at 75 feet M&C should evaluate the policy implications of applying the MXCD Zone to sites located less than one-quarter mile from a Metro Station. Recommends that 1500 Rockville Pike property be rezoned to the MXTD zone due to proximity to METRO.
Peter Gartlan Donohoe Development Company	6/30/2008	15	MXCD Zone	Article 13. Recommends the addition of the following proposed language at Section 25.13.05 b.2(b) 2. Building Height (b) MXCD Zone - Building façade.....monolithic appearance. <u>Where recommended in the Plan, or if approved by the Mayor and Council as part of a project plan approval in accordance with Section 25.07.06, building height may be increased beyond 75 feet up to 120 feet under the following conditions: (i) The public use space requirement must be provided on the site; (ii) The building footprint cannot occupy more than 80% of the net lot area; (iii) The building design exceeds the urban design recommendations of the applicable Master Plan; and (iv) The building must be designed for maximum energy conservation and/or complies with any energy conservation standards set forth in this Code.</u>

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Joey Soleiman	6/30/2008	17	Burbanks Restaurant	Article 13. Owner of 18 W. Montgomery Ave., former Burbanks Restaurant. Requested modification of Section 25.16.05 - Location in Relation to Use Served - Requirements for the provision of parking facilities in the <u>MXNC</u> , MXTD and MXCD may be satisfied on a separate lot from the use served by a permanent automobile parking structure. An automobile parking structure must be within a 500 600 foot walking distance of the entrance to the use being served to satisfy the parking requirements. The Planning Commission may attach such conditions to the approval of an automobile parking structure as may be reasonable and necessary to assure that it will be consistent with the purpose and intent of this Chapter.
Kimberley Nordheimer Fordham Development Company	6/30/2008	21	Public Use Space	Article 13. Requests that the Mayor and Council adopt a smaller public use space requirement for those properties, which are exclusively commercial and retail establishments.
Pat Harris Holland & Knight			MXE Zone	Article 13. <u>Proposed Section 25.13.07.c.7 - Public Use Space in the MXE Zone In order to preserve open space and enhance natural buffers, a significant portion of the 20% required public use space may be devoted to open, undeveloped land area. Irrespective of the public use space definition, such space need not be accessible to the public or otherwise improved. That portion of the required 20% public use space that shall be improved consistent with the public use space definition shall be determined on a case-by-case basis during the Project Plan and Site Plan approval process.</u>
Larry A. Gordon Shulman, Rogers, Gandal, Pordy, & Ecker, P.A		36	Section 25.13.05 - Development Standards	Article 13. 1. Overview of Motor Vehicle Sales Uses in Rockville. Currently, automobile dealerships are allowed in the City upon approval of a Special Exception. Under the Draft Zoning Ordinance, they will be allowed as Conditional Uses in certain Mixed-Use Zones or, in one instance, permitted by right. The applicable zones include MXTD, MXCD, MXE, and MXB. Most existing dealerships in Rockville are located along Rockville Pike/Frederick Road and are situated on properties recommended for Mixed-Use Corridor District ("MXCD") rezoning. Both indoor and outdoor dealerships are designated as Conditional Uses in the MXCD Zone. Accordingly, this letter proposes changes to the MXCD zone development standards for motor vehicle sales uses.

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Larry A. Gordon Shulman, Rogers, Gandal, Pordy, & Ecker, P.A		36	Section 25.13.05 - Development Standards	<p>Article 13. 2. Section 25.13.05 - Development Standards for Mixed Use Zones a) Provision of Open Space Versus Public Use Space (Standards Chart) 1) <u>Recommendation:</u> Add a Footnote to the Development Standards Chart for the MXCD Zone changing the "20% public use space" requirement to a "10% open area" requirement for motor vehicle sales uses. b) Additional Building Height (Standards Chart) 1) <u>Recommendation:</u> Add a Footnote to the Development Standards Chart for the MXCD Zone to increase the "75 Maximum Height in Feet" to "Up to 120 Feet where recommended in a Master or Sector Plan for mixed use developments that include motor vehicle sales uses." c) Existing Structures or Uses (Sec. 25.13.05(d) 1) <u>Recommendation:</u> Retain Grandfathering Language for existing structures or development in Mixed Use Zones, and clarify the issue discussed below. As currently drafted, the grandfather provision requires extensions or additions to existing development that exceed 5% of pre-existing gross floor area to comply with the standards of the property's new zone. The draft does not address the extent of compliance with the new zone provisions. Suggest that the grandfathering language be clarified to indicate that compliance with the standards of the new zone be calculated on the pro rata gross square footage percentage by which the new extension increases the pre-existing development. Further suggest that in order to encourage future vehicle parking and storage garages, such garages, (which are not part of gross floor area) be made exempt from triggering public use space or open area requirements.</p>
Larry A. Gordon Shulman, Rogers, Gandal, Pordy, & Ecker, P.A		36	Section 25.13.06 -- Additional Design Guidelines	<p>Article 13. 3. Section 25.13.06 -- Additional Design Guidelines for Mixed Use Zones a) Outdoor Sales and Storage -- General Standards (Sec. 12.13.06 (b)(3)(a) 1) <u>Recommendation:</u> Clarify that the last sentence of the Subsection which states, "Outdoor sales areas shall be considered as part of the gross floor area of the retail establishments," does not apply to motor vehicle sales use parking and/or inventory storage areas in the MXCD Zone. b) Outdoor Sales and Storage -- Prohibition of Certain Sales and Storage (Sec. 25.13.06 (b)(3)(b) 1) <u>Recommendation:</u> Delete in its entirety or revise, as discussed below, the last sentence of the Subsection which states, "outdoor storage of motor vehicles in connection with a motor vehicle sales business is allowed, so long as the vehicles stored are only for sale at that location."</p>

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Larry A. Gordon Shulman, Rogers, Gandal, Pordy, & Ecker, P.A		36	Section 25.13.03(h) Land Use Tables - Commercial, Office, and Industrial Uses	Article 13. 4. Distinctions Between Indoor and Outdoor Motor Vehicle Sales Uses a) Indoor Versus Outdoor Motor Vehicle Uses (Sec. 25.13.03(h) 1) <u>Recommendation:</u> Delete the distinction and create a single category of motor vehicle sales use, or make clarifications as discussed below. Suggest establishing one category of motor vehicle sales use (to include both indoor and outdoor sales) and, where classified as a "Conditional Use," to only require the condition currently proposed for outdoor uses (i.e. 100%, opacity screening of [outdoor] vehicle storage areas from adjacent or confronting residential development in a residential zone [in Rockville]). Alternatively, should Rockville decide to continue to separate "indoor" and "outdoor" dealerships, i suggest that the description of an "indoor" dealership as a "Conditional Use" be clarified to allow for freestanding garages, outdoor inventory display, and customer and employee parking separate from the sales building.
William Kominers Holland & Knight representing Yale Village Limited Partnership	6/30/2008	8	Section 25.03.02 -- Words and Terms Defined	Article 14. Add a new definition: <u>Resolution of Approval -- The collection of documents and actions that collectively represent the standards applicable to a particular approval action for developments in the Planned Development Zones in Section 25.14.07. The Resolution of Approval is comprised of the: (1) Resolution of Approval, or a letter of approval that has been adopted by the Mayor and Council or the Planning Commission, as applicable, approving a special development procedure under the prior zoning ordinance (such as, Comprehensive Planned Development, Planned Residential Unit, Preliminary Development Plan, I-3 Zone Optional Method, etc.), including, any subsequent amendments thereto, and (2) any accompanying documents, including the application and supporting materials that has been approved, including any subsequent amendments thereto, and other binding agreements such as annexation agreement or other similar development agreements, and (3) related development standards set forth in each of the foregoing, and (4) incorporated by reference as an integral part of the approval, the allowable uses, development standards, and special provisions that are set forth in the Zoning Ordinance in effect and applicable to the particular special development procedure on [date, 2008] immediately before the adoption of the new Zoning Ordinance.</u>
William Kominers Holland & Knight	6/30/2008	9	Section 25.14.07 -- Planned Developments	Article 14. Use of Resolution of Approval alone is not sufficient. The resolution only addressed those standards which were being modified or which were new. The existing Zoning Ordinance should be treated as being incorporated by reference into the Resolution of Approval that forms the standards of each PD Zone. The resolution of Approval should also be considered to incorporate the application and accompanying documents, which the Resolution actually approves.

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William Kominers Holland & Knight	6/30/2008	9	Section 25.14.07 -- Planned Developments	Article 14. Protect prior approval(s) by Mayor and Council and allow them to continue to completion.
William Kominers Holland & Knight	6/30/2008	9	Section 25.14.07 -- Planned Developments	Article 14. The new Ordinance standards can and should only apply to those planned developments that are not already covered by binding agreements, such as Annexation Agreements, Development Agreements, Transition and Developments Agreements, etc. Given the complexities of the treatment of the PD Zones in Article 25.14.07, a better solution might be to simply grandfather them as they are and allow the continued implementation on that basis, rather than attempting the very complex process of "what ifs" in Section 25.14.07.d that try to sweep the few remaining undeveloped parcels into coverage by the new Ordinance
William Kominers Holland & Knight		9	Equivalent Zones	Article 14. The idea of requiring application of "equivalent" mixed use zone standards to un-built and un-site planned properties within PD Zones is inappropriate and unduly complex. The PD Zones already represent a comprehensive application of development standards to the project. Many of the standards of the "equivalent zones" do not make sense when engrafted into an existing Planned Development.
William Kominers Holland & Knight	6/30/2008	9	25.14.07.d.5 -- Waiver of Equivalent Zone Standards	Article 14. The consideration for the waiver involve great subjectivity and place a new degree of uncertainty on implementation of individual elements of Planned Development projects that is inconsistent with the philosophy behind the original approvals. Recommendation is to eliminate the equivalent zone application and simply have the existing PD Zone approvals apply to the PD Zone areas, irrespective of whether they have been completed, un-built but site planned, or un-built and not site planned.
Kristina Hughes Lutheran Home	6/30/2008	11	Life Care Facility special exception	Article 15. Current trends in the industry routinely suggest constructing taller buildings, over 50 feet in height. Request that the Board of Appeals be allowed to approve additional height to accommodate 5-story buildings, up to 70 feet in height, with the protection, as currently drafted, that the Board finds that the additional height will not have an adverse impact on adjoining and confronting properties.
Kristina Hughes Lutheran Home	6/30/2008	11	Life Care Facility special exception	Article 15. Setbacks are excessive. There should be an additional provision that where the property adjoins a nonresidential use, the setbacks are reduced to the minimum required in the zone.
Miller, Miller, & Canby representing Victory Housing, Inc.	6/30/2008	7	Article 15 - Special Exceptions (Proposed Modification)	Article 15. 25.15.02 - Additional Requirements for Certain Exception j. 3.(c).(i) Front yard: 50 feet, <u>except that for projects in the MXT zone the setback may be the minimum required in the zone;</u> and ... j.3.(e) Building Height -- Building height is normally limited to the height allowed in the zone. The Board may allow additional height up to 50 feet if additional setbacks are provided and the Board finds that the additional height will not have an adverse impact on the adjoining and confronting properties.

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M.A. Van Balgooy	6/29/2008	1	Articles 16 and 17 of the final draft Rockville Zoning Code - To improve safety and connectivity for pedestrians and bicycles	Articles 16 & 17. 2. Section 25.16.03g allows flexible parking standards if a site is located near a Metro station, bus route, or public parking lot; include proximity to Class 1 or 2 bicycle routes.
M.A. Van Balgooy	6/29/2008	1	Articles 16 and 17 of the final draft Rockville Zoning Code - To improve safety and connectivity for pedestrians and bicycles	Articles 16 & 17. 3. In Section 25.17.05 , require all project plans to show the "path of travel" for pedestrians and bicycles for city review and approval. This simple tactic is often overlooked but will help reduce conflicts with automobile traffic and encourage walking and bicycling in Rockville.
M.A. Van Balgooy	6/29/2008	1	Articles 16 and 17 of the final draft Rockville Zoning Code - To improve safety and connectivity for pedestrians and bicycles	Articles 16 & 17. Section 25.17.05 requires that sidewalks meet basic guidelines for width, and I encourage you to consider standards that require much wider sidewalks for zones that permit higher density, such as MXTD, MXCD, and RMD. The minimum sidewalk widths should be 8 to 12 feet, but recommend requiring even wider sidewalks to improve safety and comfort for pedestrians. Furthermore this section is particularly confusing and should be rewritten and avoid referring to document (e.g., Standards and Details for Construction Manual) that are not available on-line.
M.A. Van Balgooy	6/29/2008	1	Articles 16 and 17 of the final draft Rockville Zoning Code - To improve safety and connectivity for pedestrians and bicycles	Articles 16 & 17. 1. Section 25.16.06f offers guidelines for pedestrian walkways in parking facilities, but these provisions should also apply to standard parking lots. All sidewalks should connect to adjacent streets, to each other, and to major building entrances.

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Miller, Miller, & Canby representing Victory Housing, Inc.	6/30/2008	7	Article 17 -- Public Use Space, Landscaping and Screening, Utility Placement and Screening, Lighting, Sidewalks, and Shadows	Article 17. <u>25.17.01.e Exemption for Affordable Housing Projects --Projects that consist entirely of affordable dwelling units, defined as units designated for households with incomes at or below the area median income limits, are exempt from the public use space requirements.</u>
Rich Redler	6/23/2008	2	Section 25.18.14 - Signs Permitted in Other Mixed-Use Zones	Article 18. Requires a landscaped area of native plants at the base of a freestanding sign; 2 sf of native plants per sf of sign face. I think this requirement is a mistake. Frequently seasonal color (flowering annuals and perennials) is provided at the base of freestanding signs as part of an attractive landscape program. Native plants typically do not provide the showy colorful impact that cultivated ornamentals do. I suggest that the "native plants" addition to the latest version be deleted.
Marianne & Arthur Hamlin	6/27/2008	3	Rockville Pike Planning Process	The Rockville Dept. of Community Planning and Development Services group's efforts to provide intelligent development of the Rockville Pike area are to be applauded. The charrettes were most helpful in explaining the process and goals. More than ever, with the high cost of vehicle fuel and overly congested roads, it is so important to make the best use of areas near public transportation hubs. Housing, office space, and access to goods and services need to be within easy reach of public transportation. Energy efficient bus routes and the Metro linking residential and commercial areas need to be available and encouraged. It is the "green way" to go!
Thomas J. Doerr	6/30/2008	5	Bicycling	Specify an infrastructure that balances the needs of pedestrians, off-road cyclists, on-road cyclists and automobiles. Biking needs to be explicit in the new zoning language
Thomas J. Doerr	6/30/2008	5	Bicycling	Only part of the language that Rockville Bike Advisory Committee recommended was included in the current version and that language has limited coverage.
Thomas J. Doerr	6/30/2008	5	Bicycling	Requesting language that will cover all kinds of development in order to add to the zoning regulations what is already specified in the Bike Master Plan.
Thomas J. Doerr	6/30/2008	5	Bicycling	Explicit language is needed for Rockville to guide developers in helping to resolve congestion and safety issues from car traffic by shifting toward multi-modal transportation in the future.
Thomas J. Doerr	6/30/2008	5	Bicycling	Insure the inclusion of the bicycle as a means of transport by the creation of adequate and unique bicycle structures suitable for the use of people of all ages and abilities.

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Thomas J. Doerr	6/30/2008	5	Bicycling	A separate dedicated bike way lane on a roadway is preferred instead of shared use with cars.
Jacquie Kubin	6/30/2008	6	Environmental Guidelines	Include a strong emphasis on using green building practices such as alternative energy designs, green roofs, green walls, particularly in commercial buildings and parking structures
Jacquie Kubin	6/30/2008	6	Environmental Guidelines	Commercial builders should be given incentives to use renewable and/or recyclable materials. Building design standards must require a developer to incorporate energy efficient and environmental technology features in every building design; Commercial design standards should extend to environmental sustainability, possibly adopting LEEDS criteria. Provide a clear focus on development in a manner that minimizes impact. Include the preservation of existing trees, topography and green spaces. Use pervious materials to enhance stormwater management.
Jacquie Kubin	6/30/2008	6	Environmental Guidelines	Include a fee to commercial development to assist in further education of homeowners, and to help subsidize homeowners that wish to make green building decisions or adaptations to their present home, including solar power, water management and neighborhood composting stations.
Kurt Meeske Combined Properties	6/30/2008	12	MXCD versus MXNC Zones	Because of similarity to Congressional Plaza, College Plaza should be in the MXCD zone instead of the MXNC zone and take advantage of the option for additional height.
Joseph Lavorgna MCPS	6/30/2008	13	Zoning Map / MCPS Properties	Carver Educational Center - 850 Hungerford Drive The R-200 zone has been proposed to replace the Residential -Suburban Zone. Redevelopment options are limiting and inconsistent with densities in the adjacent neighborhood. Board requests that the portion of the property fronting on Hungerford Drive be reconsidered for zoning at a higher density such as MXCD. This zone would allow office and service retail along the property's MD 355 frontage.
Joseph Lavorgna MCPS	6/30/2008	13	Zoning Map / MCPS Properties	Lincoln Center -- 580 N. Stonestreet Avenue The Board recommends that the property be rezoned to the MXT zone. The MXT zone would be consistent with the East Rockville Plan. The Board believe that higher densities should be located adjacent to the rail right-of-way and lower densities where the property abuts existing single-family homes. Supports smart growth close to the Rockville METRO Station.

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Joseph Lavorgna MCPS	6/30/2008	13	Park Zone / MCPS School Sites	Limits the redevelopment value for alternative uses of any schools that might be declared surplus in the future. Placing an overlay zone on all MCPS school sites to preserve future recreational use raises concerns about a question of taking the value of County property without compensation.
Stuart Barr Niemeyer-Trail, LLC Lerch, early, & Brewer, Chtd.	6/30/2008	14	Moratorium	Represents the owners of 702 Rockville Pike and wishes to redevelop. Opposes extension of development moratorium beyond September 30 until completion of Rockville Pike Plan because of time constraints and limiting of redevelopment of property.
Jim Reschovsky Woodley Gardens Civic Association	6/30/2008	16	Zoning Map	Woodley Gardens Shopping Center will be zoned MXNC (Mixed Use, Neighborhood Commercial). Requesting that it will be zoned MXC (Mixed Use Commercial)
Prosper Osei-Wusu	6/30/2008	18	RMD	Owner of 219 Frederick Ave. Requests that property is rezoned to RMD-10 in order to build two semi-detached units on double lot.
Michael S. Callahan	6/30/2008	19	Churches	Request that the following be allowed by Special Exception: Churches, A "major" home based business enterprise, Private educational institutions, Child care for over 9 (in some cases) or 12 (in all cases) children, Adult day care, Charitable or Philanthropic institutions, and Private clubs (permitted on only the largest lots/lowest density zones).
Patricia Woodward West End Citizen's Association	6/30/2008	19	Churches	Board supports the request that the following be allowed by Special Exception: Churches, A "major" home based business enterprise, Private educational institutions, Child care for over 9 (in some cases) or 12 (in all cases) children, Adult day care, Charitable or Philanthropic institutions, and Private clubs (permitted on only the largest lots/lowest density zones).
Scott Norwitz The Scott Group	6/30/2008	20	Zoning Map	Requests that the zoning category for 110 N. Washington Street be changed from MXNC (Mixed Use Neighborhood Commercial) to MXB (Mixed Use Business)

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Kimberley Nordheimer Fordham Development Company	6/30/2008	21	Zoning Map	Represents Wintergreen Plaza Shopping Center owners, Rockville Pike Joint Venture, L.P. Supports the proposed designation of MXCD zone for the shopping center
Thomas J. Doerr	6/30/2008	22	Rockville Bicycle Advisory Committee (RBAC)	Same as Exhibit # 5
Christina Ginsberg	6/30/2008	26	Green Building Program	Submitted a copy of the Los Angeles Municipal Code Sections 16.10 and 16.11 establishing the Green Building Program
Drew Powell		27	Density	Recommends that the density that RORZOR proposes be reduced.
Kenneth H. Becker PR &B, Inc.	6/26/2008	28	Non conformities	Strongly supports the revised language now contained in Section 25.11.04 of the draft Zoning Ordinance that eliminates the "non-conforming" issue as it relates to properties such as Congressional Towers and Rollins Park Apartments, and clarifies such to remain "conforming" under the ordinance.
Isaiah Leggett Montgomery County	7/1/2008	32	Zoning Map MCPS property	Objects to 580 N. Stonestreet having the designation of R-60 zoning
Isaiah Leggett Montgomery County	7/1/2008	32	Park Zone MCPS property	Concerned that the new Park zone overlay on all city parks and public school sites reduces the flexibility and land value of Board of Education properties and would have an adverse effect on the County's interests.
Robert E. Reiver	7/7/2008	33	WINX property	Requested that the Mayor and Council discuss how the WINX Property should be developed. A final response has not been received from the city regarding the request for additional sewer and water service.
Nancy Navarro MCPS Board	7/3/2008	34	Meeting/Follow-up	Board of Education members will participate in the worksession scheduled for July 14, 2008 to provide concerns in more detail.

Source	Date	Exhibit	Issue/Topic	Comment
Joseph Bradley	7/3/2008	35	Additional Hearings & Notification	Requested that the community provide input in the redevelopment of small shopping areas, that additional time be allotted for consideration of the Draft Zoning Ordinance. City staff should be getting the word out about how this ordinance will ultimately impact their neighborhoods and communities. Requested that additional public hearings be provided and advertised in the Gazette and Rockville Reports.
Larry A. Gordon Shulman, Rogers, Gandal, Pordy, & Ecker, P.A		36	Rockville Pike Sector Plan	5. Pending Rockville Pike Sector Plan a) Interim and Future Zoning 1) <u>Recommendation:</u> Create a new Zone or an Overlay Zone to apply to this geographic area to implement the Sector Plan recommendations for existing motor vehicle sales uses, future freestanding dealerships, and dealerships incorporated into a mixed use development.
Larry A. Gordon Shulman, Rogers, Gandal, Pordy, & Ecker, P.A		36	Montgomery County Alternative	6. The Montgomery County Alternative a) Separate Development Standards for Motor Vehicle Sales Uses 1) <u>Recommendation:</u> Consider establishing a completely separate set of development standards for motor vehicle sales uses in the MXCD Zone.
Miller, Miller, & Canby representing Mr. Leo Rocca	6/27/2008	37	Rezoning of 1586-1610 Rockville Pike to MXTD instead of MXCD	Support for the Planning Commissions recommendation in its May 21, 2008 Memorandum to the Mayor & Council) to rezone "the properties immediately north of Halpine Road....in the MXTD Zone instead of the MXCD Zone due to their proximity to the Twinbrook Metro Station." (Page 11)
Kurt Meeske Combined Properties	7/9/2008	38	Zoning Map	Owner of College Plaza. Requests that College Plaza be rezoned to MXCD (Mixed Use Corridor District). The current designation of MXNC (Mixed Use Neighborhood Commercial) would not allow College Plaza to redevelop into a first class mixed use development.
Kurt Meeske Combined Properties	7/9/2008	38	Grandfathering	In order to maintain a functional shopping center during the time until redevelopment is practical, we ask the Mayor and Council to address certain issues: Interim Operations. During the time before the property is redeveloped, Combined needs the latitude of the existing C-2 standards to be able to lease space to appropriate and interested tenants. The MXNC prohibits the majority of the tenants that would be interested in this site, which severely compromises the ability to maintain a viable center

Source	Date	Exhibit	Issue/Topic	Comment
Kurt Meeske Combined Properties	7/9/2008	38	Grandfathering	The Planning Commission added language to the draft to grandfather those structures in conformance with the current zoning. This is critical to the continued operation of College Plaza and we urge the Mayor and Council to maintain that provision, but to explicitly add that all uses allowable under the current zoning remain grandfathered.
M.A. Van Balgooy	6/22/2008	1	Attachment 1: Landscaping, Screening, and Lighting Manual	Support the landscaping requirements for parking lots at proposed 5 percent at a minimum, but consider 10 percent as adopted by Montgomery County (59-C-4.338)
M.A. Van Balgooy	6/22/2008	1	Attachment 1: Landscaping, Screening, and Lighting Manual	In addition to showing trash cans for public use, require the landscape plan to show the location of all trash dumpsters in commercial zones
M.A. Van Balgooy	6/22/2008	1	Attachment 1: Landscaping, Screening, and Lighting Manual	Require all commercial properties to enclose all trash dumpsters in an appropriate manner to shield their unsightly appearance.